

REMARKS

Claims 10-14, 16, 17, and 26-30 have been rejected under 35 U.S.C. 102(b) over U.S. Publication No. 2002/0051119 to Sherman et al. ("Sherman"). Claim 15 has been rejected under 35 U.S.C. 103(a) over Sherman in view of U.S. Patent No. 7,272,613 to Sim et al. ("Sim"). Claims 31 and 32 have been rejected under 35 U.S.C. 103(a) over Sherman in view of U.S. Patent No. 6,351,523 to Detlef ("Detlef"). No claims are added, amended, or canceled. Applicants respectfully request reconsideration in light of the following remarks.

§102 Rejections

Claims 10-14, 16, 17, and 26-30 have been rejected under 35 U.S.C. 102(b) over Sherman. Applicants respectfully traverse the rejections because Sherman does not teach all the claim elements as arranged or combined in the claims. "[T]he prior art reference—in order to anticipate under 35 U.S.C. § 102—must not only disclose all elements of the claim within the four corners of the document, but must also disclose those elements . . . "arranged or combined in the same way as the claim."" (Net MoneyIN Inc. v. VeriSign Inc., 88 USPQ2d 1751, 1758-59 (Fed. Cir. 2008).

More specifically, Sherman does not teach at least "distinguishing the second content object to create a third content object, wherein the third content object is in a second content format that is compatible with a second content object entity within the customer's premises, wherein the third content object is selected from a group consisting of a voicemail object, an email object, a video object, an audio object, and an Internet web page, and wherein the third content object is different from the first content format," as recited in independent claim 10.

The Office Action argues that Sherman teaches "distinguishing the second content object," citing to Sherman, ¶¶[0018] & [0020], provided below for the Examiner's convenience.

[0018] While recording over the voices of additional actors, the user may choose to hear the original voices of all other actors, or may opt to hear the modified soundtrack with the previously selected actors' voices dubbed over. Alternatively, the user may select to hear the original voice of some actors and the dubbed voices of other actors. In a preferred embodiment, the system software saves the voice of each actor in a separate, digitally encoded audio file (such as in a WAV or MP3 format file), and thus allows the user complete flexibility in choosing the desired audio track for each actor. Thus, when the user chooses to save a modified soundtrack, the system software in essence saves an audio file containing the user's voice for replacing an actor's original voice audio file during playback of the movie clip.

[0020] In a preferred embodiment, the system software of the present invention offers additional features and options. Basic features such as microphone sensitivity, volume, brightness/contrast are provided. Noise-canceling features that record ambient noises and cancel them are used to improve audio quality. A desirable feature may include the ability to adjust the properties of each audio file, including but not limited to volume, pitch, tone, echo, and noise filtering, as shown in FIG. 7. A sound analysis plug-in system adhering to current standards will allow users to add from a large collection of existing filters or custom ones. In this manner, the user may adjust his recorded voice to more closely match the voices of the other actors in a selected movie clip, and thus enhance the overall quality of the modified soundtrack by blending the modified voices with the original voices and the music score. Additional features may be provided to automatically adjust the recorded tracks with the original by "audio morphing" the recorded tracks to (variably) match the original. Static elements such as volume, amount of echo, can be automatically adjusted. Furthermore, timing can be analyzed for pauses and individual vowels and then shifted, stretched or compressed to match the original, further enhancing the realism of the user speaking the original lines. Similarly, spectral changes can be applied or enhanced automatically to seamlessly immerse the user in the scene. The amount of "assistance" is user-selectable, or in a possible game scenario, reduced as the level of difficulty increases. Also, the degree of assistance needed can be used to determine the score. As shown in FIG. 8, the user may choose to save any such modified, or adjusted, audio files as separate files in addition to the original replacement audio file, and may thus choose to create multiple versions of a single 'take'. In this manner the user will be afforded the ability to compare the various versions and thus select a preferred version. Comparing the various versions may be further aided by the use of a sound analyzer, as described below.

As the Office Action accurately points out, these portions disclose "the system saves the file as an encoded audio file," (Office Action, p. 4, emphasis added). And, in general, these two portions of Sherman discuss what the Sherman system may allow a user to do to an

audio/voice track that may replace the audio track in a movie clip. However, these replacement audio tracks are not the second content object as the Office Action asserts. According to the Office Action, the second content objects are the "modified movie clips." While a modified movie clip may include a replacement audio track as part of the modified movie clip, the replacement audio track clearly does not constitute the second content object as the Office Action interprets Sherman. As a result, Sherman does not teach "distinguish the second content object to create a third content object," and thus does not anticipate independent claim 10. Thus, the Applicants respectfully request that the Examiner withdraw the rejection and allow the claim for at least these reasons. In addition, because claims 11-14, 16, 17, and 26-30 depend upon an allowable base claim, the Applicants respectfully request that these claims be allowed for at least these reasons.

§103 Rejections

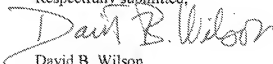
Claim 15 has been rejected under 35 U.S.C. 103(a) over Sherman in view of Sim.. Claims 31 and 32 have been rejected under 35 U.S.C. 103(a) over Sherman in view of Detlef . Neither Sim nor Detlef cure the deficiencies of Sherman. Thus, because claims 15, 31, and 32 depend upon an allowable base claim, the Applicants respectfully request that the Examiner also allow these claims for at least the same reasons.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David B. Wilson". The signature is fluid and cursive, with the first name "David" being more prominent and the last name "Wilson" following in a similar style.

David B. Wilson
Reg. No. 57,816

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
DBW:seo
62498521 v1